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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/689,187	10/20/2003	N. Johan Knall	SD-MA-002-I-I-a	2700
67463 7590 03/06/2008 DUGAN & DUGAN, PC 245 Saw Mill River Road Suite 309 Hawthorne, NY 10532				
EXAMINER				
DOLAN, JENNIFER M				
ART UNIT		PAPER NUMBER		
2813				
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03/06/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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10689187	10/20/03	KNALL ET AL.	SD-MA-002-1-I-a

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## EXAMINER

Jennifer M. Dolan

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2813	20080226

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner for Patents**

## NOTIFICATION OF NON-COMPLIANCE WITH THE REQUIREMENTS OF 37 CFR 41.37 (c)

The brief does not contain a concise statement of each ground of rejection presented for review as required by 37 CFR 41.37(c)(1)(vi).

The brief indicates that both claims 1 and 2 stand rejected as unpatentable over Zhang '396 in view of Zhang '302 (brief, page 6, section VI, item A). In the final rejection, however, only claim 1 is rejected over Zhang '396 in view of Zhang '302. Dependent claim 2 is only rejected as unpatentable over Zhang '396 in view of Mohsen.

The brief is further defective in the arguments of the appellant with respect to each ground of rejection presented for review, and the basis therefor, with citations of the statutes, regulations, authorities, and parts of the record relied on as required by 37 CFR 41.37(c)(1)(vii). In the arguments section (section VII, item A), both claims 1 and 2 are addressed as being rejected over Zhang '396 in view of Zhang '302. In the final rejection, only claim 1 is rejected using these references.

Appellant is required to comply with provisions of 37 CFR 41.37(c). To avoid dismissal of the appeal, Appellant must comply with the provisions of 37 CFR 41.37(c) and file an amended appeal brief or other appropriate correction (see MPEP 1205.03) within ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing of this communication. Extensions of time may be granted under 37 CFR 1.136.

Any inquiry concerning this communication should be directed to Jennifer M. Dolan at (571) 272-1690.

/Carl Whitehead Jr./  
Supervisory Patent Examiner, Art Unit 2813